

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:

JUNE ATTARIAN,

Debtor.

)
) Case Number **05-60373-293**
) Chapter 7
) Hearing Date **March 20, 2006**
) Hearing Time **10:00 a.m.**
) Hearing Location **5th Floor South**
) Response Due By **March 13, 2006**
) Motion Number ____
)

MOTION TO COMPEL AND NOTICE OF HEARING

WARNING: Any response or objection must be filed with the Court by March 13, 2006. (See L.B.R. 9013-1 B. and 9013-2.) A copy must be promptly served upon the undersigned. Failure to file a timely response may result in the Court granting the relief requested prior to the hearing date.

PLEASE TAKE NOTICE that a hearing to consider the Trustee's Motion to Compel will be held on the **20th day of March, 2006 at 10:00 a.m.**, before the Honorable David P. McDonald, United States Bankruptcy Court, 111 South Tenth Street, 5th Floor South Courtroom, St. Louis, Missouri 63102.

COMES NOW Robert J. Blackwell, Chapter 7 Trustee, by and through his undersigned counsel, and for his Motion to Compel, states to the Court as follows:

1. June Attarian (hereinafter "Debtor") filed for protection under Chapter 7 of the Bankruptcy Code on October 15, 2005.
2. Robert J. Blackwell (hereinafter "Trustee") is the duly qualified and acting Chapter 7 Trustee appointed to Debtor's case.
3. Debtor's First Meeting of Creditors was held on November 25, 2005.
4. On December 9, 2005 and January 6, 2006, the Trustee sent correspondence to Debtor's attorney requesting an appraisal be done on Debtor's 2002 Ford Mustang and requesting an explanation and documentation as to the transfer of Debtor's real estate in June of 2004.

5. The Debtor has failed to comply with the Trustee's request.
6. Under 11 U.S.C. §521(3), a Debtor has a duty to cooperate with the Trustee as necessary to enable the Trustee to perform the Trustee's duties under this Title.
7. The Debtor has knowingly and fraudulently failed to turnover the requested information to the Trustee.

WHEREFORE, Trustee prays this Honorable Court make and enter its Order granting Trustee's Motion to Compel and ordering the Debtor to turnover an appraisal of her 2002 Ford Mustang and order the Debtor to provide an explanation and documentation as to the transfer of her real estate in June of 2004; and for such other and further Orders as the Court deems just and proper.

Respectfully submitted,
BLACKWELL & ASSOCIATES, P.C.

/s/ **Samantha L. Smith**

Samantha L. Smith, MO#53923/Fed#512276
Attorney for the Trustee
P.O. Box 310, O'Fallon, MO 63366-0310
(636) 240-3632 / Fax (636) 240-6803
ssmith@blackwell-lawfirm.com

CERTIFICATE OF SERVICE

I, Diane Kell, certify that the foregoing was electronically filed on the 2nd day of **February, 2006**. Timothy Battern, Attorney for the Debtor, and the United States Trustee's Office receive electronic notifications of filings in this case.